WARNING TO PRESIDENT NOT TO SEND JEWS' PETITION.

Intimation That Such Action Would Imperil the Friendly Relations of the Two Countries-The President's Plan Opposed by His Official Advisers

Washington, July 1.—"The Russian Government must categorically refuse to receive from any Power any petition, representation or communication relative to its internal policy.'

This is the concluding paragraph of a statement given out to-day by the highest source of authority in the matter in this country. Its significance is very deep. It is a direct warning to President Roose velt not to carry out his expressed intention to send to the Czar the petition from Jewish organizations in the United States for the betterment of the condition of their co-religionists in Russia.

It means that the friendly relations which have existed for so many years between Russia and the United States will become strained should the President persist in his

The statement in which this significant warning occurs was called forth by a report that Russia had offered an explanation of the Kishineff massacre to this country.

The rest of the statement reads as follows: "The Russian Government most positively denies the report that it has offered an official explanation to the American Government, either through the Russian Embassy at Washington or the American Embassy at St. Petersburg, regarding the Kishineff incident, or that it has ever been addressed by the American Government upon the subject."

Taken in connection with the appounce. ment that the Russian Government will not receive the Jewish petition, the paragraph quoted above means that Russia does not feel called upon to offer to the United States any explanation of an affair that occurred within its territorial limits, in which no other than Russian subjects were concerned.

What effect the Russian warning will have upon President Roosevelt's announced purpose to forward the petition from American Jews cannot be determined here in the absence of the President and Secretary Hay. Mr. Hay is at Newport, and it is expected that he will go to Oyster Bay to see the President before returning to Wash-

ington, about July 12. The President's decision to send the petition caused great surprise, even to his immediate official advisers, who had shown that they regarded such a course as exceedingly unwise, not only on account of the danger it would bring to a continuance of the long-standing cordial relations between the two Governments, but for the reason that it would establish a precedent for foreign meddling in the domestic affairs of the United States.

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It has been contended in Washington by officials of the highest standing that should the President forward the Jewish petition to the Czar there could be no objection by the United States Government receiving protests from Governments of Europe against the lynching of negroes in this country, something that heretofore no Federal Administration would have tolerated for an instant

At the State Department to-night it was stated by a high official, in the absence of Secretary Hay, that the delay in forwarding the petition of the American citimens of Jewish faith as to the ill-treatment of their coreligionists in Russia was due solely to the delay in furnishing the address

to the State Department by the petitioners. The State Department would, of course, pay no heed to any statement purporting to emanate from the Russian Government unless such statement were made officially in some form or other to our Government.

The State Department has been scrupulously careful to act only in accordance with all the requirements of official propriety, but within the limits thus laid down it will certainly not hesitate to give expression to the deep sympathy felt not only by the Administration, but by all the American people for the unfortunate Jews who have been the victims in the recent appall-

It was pointed out by another official, who disclaimed any purpose to speak in his official capacity, however, that it seemed somewhat strange, to say the least, that the Russian Government should choose this particular method of making statement to the American people at the very time when by methods which are certainly the reverse of friendly to the United States it has sought to make China join in breaking the plighted faith of all the powers as to the open door in Manchuria. and has endeavored to bar our people from access to the Manchurian trade.

PRESIDENT'S ATTITUDE UNCHANGED OYSTER BAY, July 1.-It is understood here that the State Department at Washington has prepared a statement on the attitude taken by Russia in regard to the Jews' protest. The President declines to discuss the matter, preferring that the attitude of the Government should be made known through the regular channels

It is understood, however, that the Government's attitude in the matter has not been changed by the developments of

## WON'T SEND PROTEST TO RUSSIA. British Government Refuses a Request From the Jews.

Special Cable Despatch to THE SUN.

LONDON, July 1.—The Australian Jews sent a resolution to Sir Marcus Samuel, Lord Mayor of London, in regard to the Kishineff massacre. It was similar in tone to the communication from American Jews which was forwarded to the Czar by the United States Government., Lord Mayor Samuel communicated the resolu-tion to the British Foreign Office, which sent a reply stating that the question re-ferred to the internal affairs of Russia and it was impossible for Great Britain to make any representations to that country

## WM. ROCKEFELLER'S POACHER. Appellate Court Says Lamora Trespassed on His Preserve.

ALBANY, July 1.- The Appellate Division of the Supreme Court to-day reversed the lower court in the suit of William Rockefeller against Oliver Lamora for trespass in fishing in streams on Mr. Rockefeller s Adirondack preserve. Lamora won in the lower court on the point that the stream lestion had been stocked by the State before Mr. Rockefeller bought it.

SAVED BY MOTORNAN'S FRIGHT. JEROME AT AQUEDUCT BOARD. Trolley Car Stands 'Twixt Tracks While Two Trains Rush By.

Although there are two men with flags, and ropes for temporary gates, at the Long Island Railroad crossing at Nostrand and Atlantic avenues, Brooklyn, there was a very narrow escape from a serious accident there shortly after 1 o'clock yesterday afternoon

A part of the Atlantic avenue elevated structure is being erected at this crossing, and the Long Island trains run on temporary tracks near the curb on either side. The trolley car started to cross the torn up space between these tracks when a train bound for the Flatbush avenue station and one headed for East New York

were seen approaching. The motorman signalled that he intended to back just as the conductor rang for him to go ahead, so as to avoid the train dashing along behind the car. So dazed became the motorman that he shut off the electric current and his car stood motionless between the tracks while the two trains passed in opposite directions at high speed. It was an open car and there were men passengers on the front seat, whose straw hats were blown off when the up train whizzed by.

vomen passengers of the trolley jumped off and ran away screaming. Reports of a big accident brought the police and several physicians to the spot

After the danger was over some of the

after the excitement was all over. MAN'S RIGHT TO WORK.

District Attorney Jerome Is to Get a Test Case Before the Courts.

President Charles M. Eidlitz of the Building Trades Employers' Association, called on the District Attorney with his counsel yesterday afternoon. There was an outcrop of rumors immediately that more labor leaders were to be arrested on charges of extortion. Mr. Jerome said:

"They called simply to lay before me a state of facts which, they said, would be verified by the testimony of a number of witnesses, whom we summoned at once. The case is simply that of a walking delegate who made a demand that certain non-

union trim-work put into a union built building be torn out or that a fine be paid. "So far as I can find out, the man's personal honesty was not in question. Whether there is law to hold him for criminal conspiracy is a matter which we will determine

"As soon as may be, I am determined to get some definite and clear propounce-ment from our higher courts as to the exact scope of employers and employees in this

union business.

As affairs now stand the courts themselves are not clear in the matter. Courts of the same jurisdiction—in fact, the very same -have handed down decisions which courts—have handed down decisions which are contradictory. The whole right of any corporation to enter into a contract which excludes any man from the right to work has yet to be determined.

"As soon as I can find a way, I am going

'As soon as I can find a way, I am going to bring the matter up in the form of habeas corpus proceedings, if possible, and have it taken right up to the Court of Appeals. Them we will know where we stand."

The District Attorney said that at present he is not preparing any case against any corporation for conspiracy in its dealings with labor representatives. But he would not deny that he was contemplating such proceedings and that he hoped to have such a case before him within a short time.

JULY BEGINS WITH 90.

mer Lands All at Once After Spar for Wind.

July came in with a sizzle, and panamas and straws blossomed in half-broiled thoroughfares with the swiftness of mushrooms in dank meadows. The shirt-waist man didn't show up, but folks in linen and duck were seen in sunny places. The hum of electric fans and the fizz of the soda fountain helped to swell the chorus of the "good old summer time."

The good tune, thermcmetrically considered, got up to 90° at 4 o'clock in the afternoon. The sweat of the air was far above the norm al, being 84 at 8 o'clock in the morning. Even hours after the ardent sun had gone down the percentage of hu-midity was 68. The breeze was brisk most of the afternoon and evening, but it came from a parched region in the Southwest and didn't give much relief. There are and didn't give much relief. There are thunderstorms lurking in the heat and humidity, and they may materialize to-day, according to the prophets at Washington.

The Manhattan police reported one death due to the heat. That was of Mary Milligan of 318 West 116th street, who dropped dead last evening at 116th street and Eighth avenue. Other deaths were hastened by the heat, and six heat prostrations in Man-

the heat, and six heat prostrations in Manhattan and five in Brooklyn were reported up to midnight.

FREIGHT WRECK IN BROOKLYN. 15 Cars Break Away on Incline-Long

Island Road Blocked for Two Hours. The Brooklyn division of the Long Island Railroad was blocked for over two hours last night by an accident to a freight train near the Manhattan crossing in East New York. The train, which consisted of twenty-eight cars, was on its way to Jamaica from the Flatbush avenue station. While the engine was attempting to pull the train up the grade to the completed section of the viaduct in East New York a coupling broke, and the last fifteen cars

of the train started down the incline, which is about four hundred feet long. When the cars reached the bottom they were going at a good rate of speed and the crash that occurred when the first three cars upset and the others tumbled on top of them could be heard for blocks. Freight was scattered and three of the cars were smashed to pieces.

Several brakemen were on the cars that got loose, but they jumped and escaped injury. A wrecking train cleared the tracks in about two hours.

## LINDENTHAL TRYING NICHOLS For Insubordination in Helping Tamman

Oppose Eye-bar Cables. O. F. Nichols, engineer in charge of the instruction work of the Williamsburg Bridge is either now on trial or will be put on trial on a charge of insubordination. At the recent hearing of the Aldermen's Finance Committee, when Mr. Lindenthal's eye-bar cable scheme was criticised, Mr. Nichols joined in the attack. He explained at the time that he appeared at the hearing not as an employee of the city, but as a private citizen. He controverted several of the statements made by the Commisof the statements made by the Commis-sioner. Mr. Lindenthal construed this as insubordination and accordingly drew up-charges. Mr. Lindenthal refused yester-day to answer any inquiries concerning the matter. He has also ordered his subordi-

Cranberry Lake and Back, 31,

Rutland B. R. for Manchester, Brandon, Burlington, "Across the Islands of Lake Champiain," Montreal, Quebec, Four trains, Illustrated book 4. Dzialis 339 B'way, N. Y.—Adv.

BURR COMMISSION SUBPENAED FOR TO-DAY.

To Be Asked Why They Have Not Reported on Croton Dam and Jerome Park Reservoir-Whether the Conditions Discovered Warrant the Removal of the Aqueduct Commissioners Is the Point

An investigation of the complaint against Aqueduct Commissioners William H. Ten Eyek, John J. Ryan and John J. Windolph preferred by George L. Duval, chairman of the Merchants' Association committee to investigate the work done upon the Croton Dam and the Jerome Park Roservoir, will begin this morning before Justice Mayer. The Commissioners are accused of "continuously and openly neglecting the duties of their office" in violation of Chapter 490 of the laws of 1883, which created the commission to supply the city with water. Subpoenas were sent out yesterday to be served upon a number of civil engineers, including the so-called Burr Commission appointed about a year ago by Mayor Low to determine additional sources of water supply other than the Croton River and to report upon the condition of the work on the Croton Dam and the Jerome Park Reservoir.

This commission, which has thus far cost the city \$35,000, is composed of Prof. William H. Burr of the civil engineering department of Columbia University, Rudolph Hernig and John P. Freeman. It has not reported to the Mayor concerning the condition of the work done on the dam and the recervoir. The Commissioners will be asked to-day to state why they have not reported and what conclusions they have reached as to the work. A subpoena has also been issued for Engineer Alfred Craven.

Messrs. Ten Eyck, Ryan and Windolph were appointed by Mayor Van Wyck early in 1898. William E. Curtis, the other Commissioner, was appointed last December by Mayor Low. The Mayor and Comptroller Grout are ex-officio members of the Aqueduct Commission. Most of the charges of the Merchants' Association have have not, however, and these were turned over to the District Attorney, after Mayor Low had read them and refused to act because he has no power to remove the Commissioners. That power is vested in the Governor. Assistant District Attorney Arthur E. Train is in charge of the case.

A person who was familiar with the charges when they were presented to the District Attorney, but who does not know whether Mr. Jerome has gathered any additional evidence, said last night that there were several instances cited where Engineer W. R. Hill, who succeeded Chief Engineer Fteley, had written curt notes to the Com-missioners to the effect that certain changes missioners to the effect that certain changes should be made, which changes the Commissioners had forthwith authorized without investigation. The Sun's informant said that in building a gatehouse the city's own property had been resold to the city. The plan for the gatehouse contemplated its being built on the solid rock, in which no excavating would be necessary beyond the removal of a small portion of the rock to make room for pipes. This was in acto make room for pipes. This was in ac-cordance with the plans of Engineer Fteley, who considered that no better foundation than the solid, living rock could be had. Under Mr. Hill, however, this solid rock was excavated to a depth of six and a half feet, at a cost of 84 cents a cubic yard, lifted out rock was removed, said THE SUN'S informant, and after being removed was crushed, converted into rubble masonry and used for refilling the very excavation from which it had been removed. It cost the city \$3.84 a cubic yard to replace it, making a cost to the city of something like

\$21.593.52.

This is one of the specifications in the complaint turned in to Mr. Jerome, said The Sun's informant, who also said that the Aqueduct Commissioners are dragging along the work on the Jerome Park Reservoir and the Croton Dam until the Burr Commission reports upon additional sources of water supply. This, he said, the city will need to utilize at once and if the present commission is still in office it will be in a position to perpetuate itself under the laws position to perpetuate itself under the laws of 1883. THE SUN's informant also said that he is convinced that the Burr Commission would have to make such a report concerning the condition of affairs at the Croton Dam and the Jerome Park Reservoir that the Mayor would have to ask the Governor to remove at least some of his fellow Commissioners.

Mr. Jerome refused to make any statement yesterday concerning these reports or of his plans concerning the Aqueduct

NEW BROADWAY BUILDING ! FIRE Flames Do \$75,000 Damage to the Three Upper Floors-Purroy Hurt.

The firemen had two hours of hard work last evening at a three-alarm blaze in the eight-story office and factory building at 473 and 475 Broadway. The building is a large, new structure, which extends back to Mercer street, and has a court in the middle.

The fire started on the sixth floor on the south side and spread not only to the top floor on that side but also to the three upper floors on the other side, the slames leaping across the court. The total damage is estimated at about \$75,000. The principal losers are the Moore-Belding Company, manufacturers of lace curtains; the Model Dress Shield Company, the John W. Wiederhold Company, makers of underwear; Jacob Rohner, embroideries; J. C. Dowd & Co., fancy goods, and Edwin Hor-

Acting Chief Purroy's hand was badly cut by glass and Firemen James Redden and James Daly of Engine 31 got electric shocks from wires on the roof. The Broad-way cars were blocked for two hours and the Grand street cars for an hour.

MADE MAD BY THE HEAT. Maniae Was Put in Irons With the Aid of Another Prisoner

BLOOMFIELD, N. J., July 1 .- James Cogan who has been in this country but a short time, was overcome by the heat in the American Brake Shoe Works this afternoon. He ran like a wild man through the yard and into the office of the company, where he proceeded to demolish every-thing within reach. It took a dozen foundry men to prevent Cogan from wreck-An ambulance conveyed the police station, where it was found necessary to put him in irons Edward Burke, a prisoner who had run amuck through the streets earlier in the day, was released. He aided Detective Baylise to handcuff Cogan and fasten his

Latest Marine Intelligence. rived: Ss City of Birmingham, Savanna

ricono mountain Special
via Lackawanna Raliroad 1 F. M., Thursdays,
Fridays, Saturdays, for Delaware Water Gap,
Stroudsburg, Mt. Focono. Meals in dining car.
Excursion tickets July 3 to 6, one fare for round trip.

—Ads.

A NEW MILE RECORD, 1:37 3-5. SUES BROKAW NOW FOR LIBEL Alan-a-Dale Clips Fifth of a Second From

Brigadier's Figures. CHICAGO, July 1.-At Washington Park to-day T. C. McDowell's four-yearold colt Aian-a-Dale, by Halma-Sadie McNary, with 110 pounds, ran a mile in 1:37 3-5, clipping one-fifth of a second off the world's mark made by Brigadier on June 22, 1901, at Sheepshead Bay, with 112 pounds up.

In establishing the new record to-day Alan-a-Dale set all the pace and was at no time fully extended, winning under double wraps, with three parts of a length to spare, over John A. Drake's Derby faverite Savable, the son of Salvator-Strathflower. Twelve lengths back finished Sioux Chief. Huzzah was fourth. The fractional time as given out by the official timer was 0:25 1-5; 0 48 3-5, 1:12 3-5 and 1:37 3-5.

Savable was made the favorite, being backed from even money to 9 to 10, while Alan-a-Dale was always quoted at 6 to 6. Outside of John A. Drake's wagers Alana-Dale carried the larger amount of

RUN DOWN BY AUSTIN GRAY.

His Automobile Throws a Newport Girl Out of Her Runabout -- Injuries Serious. NEWPORT, R. I., July 1 .- Austin Gray, on of Judge John Clinton Gray of New

York, this afternoon was out in his automobile and ran into the runabout of Miss Sallie Anthony, aged 16, daughter of Mr. and Mrs. A. T. Anthony, who was on her way to the railroad station. She was turning from Ruggles avenue into Bellevue avenue when her trap was run down. Miss Anthony was thrown out, striking on her head. Her horse cleared itself from the wreck, and ran up the avenue.

Mr. Gray stopped his automobile and went to the assistance of Miss Anthony. taking her to her home, which was near by It was found that she was very severely cut about the head and face, and was suffering such pain that ether had to be administered. The extent of her injuries cannot yet be stated.

Where the accident happened there is a sharp turn, and it is not known who was to blame for the collision. Miss Anthony been made public. Several specifications has always driven a horse, and is a careful driver. Mr. Gray inquired during the evening as to Miss Anthony's condition.

> REVENGE BY LIQUOR MEN. Fires Set in a Prohibition Town-Attempt

to Burn Out a Newspaper. INDIANAPOLIS, July 1.-Winslow, in Pike county, a town of 1,000 inhabitants, is in a state of excitement over the attempted burning of several houses, including the office of the Dispatch, a weekly newspaper. Four weeks ago the temperance people invoked the blanket remonstrance law, and all the saloons were closed. The saloon element retaliated by attacking the temperance leaders in the street, and threats were made of burning the town. Four fires, all of incendiary origin, occurred in one night, and on last Saturday night three than bottom were fired, one of them being

the Dispatch office. The incendiaries are known, but the evi dence is not sufficient to convict them, and open threats of lynching are made. A committee of fifty citizens has been selected and guards are on duty every night.

MISS GODDU SHOT HERSELF. So Writes the Man Accused of the Crime,

Who Is Now Missing. Boston, July 1 .- A development in the shooting in Lowell on Sunday of Miss Georgia Goddu and the dangerous wounding of Dr. Payette by Joseph Lamothe is the publication of a letter by an evening paper which was received through the mail. It says:

"The immediate circumstances were Miss Georgia's efforts to wrench a pistol from my coat pocket, at first, and later from my hand. She caused the accident by refusing to let go my hand in spite of re quests that she do so. I did not shoot Miss Goddu. She shot herself. I cannot understand your statement that I shot a man. I don't remember any such thing.

These lines, Mr. Editor, were written by a man who will be dead when they reach ou. They are perfectly true."
The handwriting is Lamothe's, his associates say. There is no clue to his whereabouts.

NEW REPUBLIC PROPOSED

By Venezuelan Rebels in a Rich Silce Her Territory-Britons Interested.

esterday that at a meeting held there by the principal Venezuelan rebel leaders Gen. Nicolas Rolando was elected unanimously to succeed Gen. Matos as chief of the revolution. It was also decided to found a new republic, to be called the Re-public of Guayana, comprising all the eastern section of Venezuela now in the hands of the rebels. This extends from the Gulf of Para to the River Chico, and includes the rich Orinoco territory. The proposal is to make Gen. Rolando president of the new republic. It is said that certain English capitalists are interested in this programme.

MINE CO. PRESIDENT FREED. Police Reason Is That Jerome Can't Afford to Get Needed Witness.

Henry Alton, president of the Columbia Gold Mining Company at 1135 Broadway. was arraigned before Magistrate Deuel in he Jefferson Market police court yesterday afternoon for examination on a charge of grand larceny. Detective McConville, whose affidavit, said to Magistrate Deuel:

"The District Attorney says that his contingent funds are so short that he can't bring the witness necessary from Colorado to astablish the case." o establish the case "Discharged," said Magistrate Deuel.

Death of Mrs. Charles A. Dana.

Mrs. Charles A. Dana, who was hurt on Tuesday in a fall at the house of a friend, died last evening at her home, 6 East Ninth street. Mrs. Dana, who was Eunice Macdaniel, was born in January, 1824, in Maryland. She was married to Mr. Dana at or near Brook Farm in 1846.

To Appraise Lands for P. R. R. Supreme Court Justice Giegerich re served decision yesterday on a motion made by the Pennsylvania Railroad Company to have commissioners appointed to ap praise the value of the land to be con demned on Manhattan for railroad station

Niagara Falls and Return, 36 via Lackawanna Railroad, July 3, good until July 5. 429, 1183 Broadway.—Ads.

&c., in connection with the Pennsylvania

MRS. POILLON WANTS \$250,000 ON THIS COUNT ALSO.

He Was Quoted as Saving That She Tried to Blackmail Him and That His Letters to Her Have Been Altered-His Lawyers Say She Knew He Couldn't Wed W. Gould Brokaw, who has been sued

by Mrs. Kathryn Poillon of 200 West Eightysixth street for broach of promise of marriage, the damages being put at \$250,000, was reported to have said yesterday that the suit was an outrageous attempt to blackmail him by a woman whom he had befriended. He was quoted also as denying that he ever asked her to be his wife or that he had ever promised to marry her. Mr. Brokaw was reported to have said that he never gave her an engagement ring and to have made this statement: "I met the woman several years ago

and assisted her in several ways. Not long ago she asked me to get her employment somewhere, as she had become so reduced. financially, that she was obliged to go to work. I found employment for her in a shop, but she declined it, saying that the work was too hard. Later she made a demand on me for \$10,000, under threat of publishing letters which she said I had written to her.

"I refused to accede to her demand, and suppose this suit is the result. I see she alleges that I wrote to her something like 250 letters and that some of them begin: 'My dear Wife-to-be.' I may have written a dozen letters to her, but none of them began in the way she states, and if wifeto-be' is in any of them now, it was written by some other hand than mine. I shall, of course, fight this suit to the highest court in the State if necessary." When Mrs. Poillon saw this statement,

she promptly proceeded to call Mr. Brokaw names, said that she never made a demand on him for money and never received a cent from him. She said that she had a sufficient income from her father's to keep her in comfort. She ad She admitted that her sister, who lives with her, was once employed in a shop in Twenty-third stree to demonstrate a punching bag, but that Brokaw had nothing to do with her sister getting the job. As for herself, she never

worked anywhere. While Mrs. Poillon was expressing her opinion of Mr. Brokaw her lawyer was drawing up the papers in another suit against Brokaw, this time for libel. The damages asked for in this suit are also \$250,000. The lawyer would like to find Mr. Brokaw that lawyer would like to find Mr. Brokaw that he may serve the new complaint on him. About three weeks ago, Howe & Hummel, acting for Mr. Brokaw, asked W. J. Kinsley, the handwriting expert, to examine three or four letters. The day after Mrs. Poillon made a similar request of Mr. Kinsley. The expert suggested that he examine the letters in the presence of the lawyers on both sides.

awvers on both sides. This suggestion was accepted and Kinsley went to Howe & Hummel's office for that purpose. Brokaw was there, as was Mrs. Poillon's lawyer. The lawyers examined the letters and then told the expert that

Mrs. Poillon refused to let him see them. Mr. Kinsley has had nothing to do with the case since.

The woman's lawyer said yesterday that his client, suspecting that Brokaw had retained Kinsley, consulted the expert for the sole purpose of confirming her suspicions. She did so by consenting to an examination of the letters. Having accomplished what she desired, she re-

fused to let the expert get anywhere near Mrs. Poillon said yesterday that she took all Brokaw's letters out of her strong box yesterday morning, counted them and found that she had just 234.

Benjamin Steinhardt of Howe & Humme said yesterday afternoon: "This woman is after money and she won't get a cent. She'll get all the law she wants before we're through. She can have no standing in court anyway, because she knew that Brokaw's wife had divorced him on the statutory grounds and that the court forbade Brokaw to marry again."

Mr. Brokaw's divorce was granted in one of the New England States on the

ground of extreme cruelty. COURT IN A POLICE STATION. Magistrate Zeller Paroles a Conductor

Moni a Passenger Accused. Magistrate Zeller was in the East Fifty first street police station early this morning to accept bail for a prisoner when Richard Batch, a conductor of a Third avenue car. was brought in under arrest. Batch was accused by Joseph Zella of 6 West Twenty-

eighth street of having started his car while Zella was getting off, the result being that Zella got a bad fall.

The Magistrate, after having heard the case explained to the sergeant, said that it was not necessary to lock the con-ductor up. ductor up.
"I will hold court right here," he said,
"and parole this prisoner."

PENSION EXCESS NOT FOR CITY. Law Discovered That Nullifles the \$250,000 Section of the Charter.

As a result of an opinion by the Corporation Counsel \$75,000, which was turned over to the city by the Police Department as the unexpended balance of the pension fund for the years 1901 and 1909, will now be returned, and the \$175,000, which Comptroller Grout wanted put into the city treasury as this year's balance, will be kept to the credit of the fund. It was Comptroller Grout's contention that the charter required that excess over \$250,000 must be turned into the city treasury. The Corporation Counsel argued with him until it was found that a special act of the Legislature had nullified the

BRIDESMAID AND BEST MAN WED. Proposal Made After They Saw the Other

Happy Couple Off. School Trustee John Woltjen and Miss Mary Kiem of West Hoboken were best man and bridesmaid Wednesday at the marriage of the latter's sister, Sophie, to Alfred Lux. They accompanied Mr. and Mrs. Lux to the railroad station to see them

Mrs. Lux to the railroad station to see them off on their honeymoon trip.
While they were returning home, Woltjen proposed marriage to Miss Kiem. She accepted, and they drove with witnesses to the rectory of St. Paul's Episcopal Church, Hoboken, where Archdeacon William R. Jenvey tied the knot. Then Woltjen and his bride went on their own honeymoon. Arrested for Marrying His First Cousin

Sloux City, Ia., July 1 .- J. E. Stain-They had four children, all of whom survive. They are Mrs. Walter M. Underhill, Mrs. William H. Draper, Paul Dana and Mrs. John W. Brannan.

brook, a young business man of Parkston, S. D., who has just been married to Miss Delia Glendy, is in the county jail at Mitchell, S. D. charged with violation of a new State. S. D., charged with violation of a new State law prohibiting the marriage of first cousins. This is the first case under the new law. Mob of Fifty Men Kill an Old Negro.

> COLUMBIA, S. C., July 1 .- A despatch eceived here from Piedmont, Anderson county, says that Reuben Elrod, a respecta-ble old negro, was shot and killed in his house last night by a mob of fifty men. Three women who lived in the house were

STRAY BULLET IN A VILLA.

Narrow Escape for Mrs. William H. Sand in Her Newport Home.

NEWPORT, R. I., July 1.-It was learned to-day that Mrs. William H. Sands of New York, who is occupying Tower Top on Believue avenue this season, narrowly escaped being shot on Monday afternoon by a stray bullet that came through her drawingroom window.

Mrs. Sands was coming from her dining room into the drawing room when something came crashing through the front window, struck the wall and fell to the carpet. Mrs. Sands was frightened. Picking up the object she found that it was a .22-calibre bullet. No shot had been heard and it was a mystery where it came

Mrs. Sands summoned her servants and search of the neighborhood was made immediately, but no one was seen except some children playing in the street.

DOG DROWNS A MAN. Great Dane Sinks, Dragging Ernest Glatz

to the Bottom With Him. John Carl of 454 West 151st street and Ernest Glatz, a helper employed by Adam Feldhus, a saloonkeeper at 1835 Amsterdam ing to Feldhus to the foot of West 152d street for a bath last night.

The two men were standing on a float, to cut 350 pair a day of Government gaunts when one of the dogs pulled Glatz into the

Glatz had the dog by a chain and the animal sank to the bottom of the river, pulling Glatz with him. Glatz did not come up, although the dog did The beast was leeding from the nose and mouth and died in a few moments. Glatz's body was not recovered.

Carl left his dog on the float and ran away

count of the accident. His dog would

BOY DASHED INTO TRAIN. Was Trying to Catch a Butterfly Which

Flew Aeross the Track. TARRYTOWN, N. Y., July 1.-John Baldacini, the six-year-old son of a fruit dealer, was killed by a New York Central train this evening near the station, while a number of

commuters looked on in horror. The boy was playing near the tracks with several other lads when he saw a pretty butterfly. While chasing it he literally dashed into a train which was approachng at a rapid rate. The right cylinder of the engine struck the boy in the head, crushing his skull, and knocking him fifteen feet from the track.

WE SEND COTTON SOUTH. ,300 Bales Shipped From New York

Reach New Orleans. NEW ORLEANS, July 1. - The Souther Pacific steamer Alpha arrived here to-day from New York with 7,300 bales of cotton. It is understood that the cotton came from mills in Lowell. Mass. It is the largest shipment of cotton ever made from the North to New Orleans and is due to the to Lyon wherein Representative Littauer Brown cotton movement, which has put

DELAY ON CANAL TREATY. Bill Has Not Yet Been Taken Up by Colom-

Special Cable Despatch to THE SUN Colon, Colombia, July 1 .- Advices from Bogota state that the Panama Canal treaty has not yet been taken up by the Congress The statements in regard to the passage of the treaty bill are contradictory. It is expected that a decision on the matter will be reached about July 15.

KILLED BY HOTEL ELEVATOR.

Theodore Sisco, a negro servant em ployed by Mrs. E. W. Freeman, was killed by an elevator in the Rossmore Hotel last night. Mrs. Freeman closed up her house at 268 West Eighty-fourth street on Tuesday and has been staying at the Rossmore until she goes to her country home on Long

Island. Sisco was on the second floor last nigh and had evidently stuck his head into the shaft when the elevator struck him. He was knocked into the cellar, three stories below, and instantly killed.

DOG DROWNS IN BATHTUB. eared the Wallaces by Dashing Abon

and Then Kills Himself. A bull terrier belonging to J. S. Wallace of 633 Bergen avenue in The Bronx frightened Mrs. Wallace and her sister while they were at dinner last night by dashing about the room and jumping on the table. The women ran to the Morrisania police station for a policeman. While they were gone, Mr. Wallace came home and discovered the dog dead in the bathtub, which was half full of water. The dog had apparently jumped in.

A Mosquitoless Elizabeth in Sight. ELIZABETH. N. J., July 1 .- State Entomologist Smith and the Newark Board of many years a manufacturer of furs Health examined the meadows of Elizabeth this afternoon, where ten miles of ditches had been dug and stocked with little fish for the extermination of the mosquito. Mr. Smith says it will be only a short time before the dream of a mosquitoless Elizabeth will be realized.

Nothing Learned From Ebstein's Trip. Deputy Police Commissioner Ebstein has made a report to Gen. Greene of his observations of the police force of Berlin.

The body of Ernest Schmidt, 60 years old, of 107 Henry street, Brooklyn, which was taken to the morgue yesterday from the Home for the Aged and Infirm, was the

largest ever seen there. It weighed 520 pounds, and was 6 feet 2 inches in length. The White Star freighter Georgic, in yesterday from Liverpool, brought 100 prize Berkshire pigs for George W. Vanderbilt's

"Get the Habit." Brill Brothers. -Adv. The Four-Track News.

model farm at Biltmore.

LITTAUER ON GLOVE PROFITS.

PRICE TWO CENTS.

DIVIDING" WITH LYON, GLOVERS-VILLE VERSION.

Congressman Benies Any Interest in Army Contracts-"Should I Call on Ludington?" Is an Irrelevancy - Facsimile of "Government Gaunts" Letter.

Paul N. Herzog of counsel for Representative Lucius N. Littauer's glove firm, in their controversy with Edmond R. Lyon as to whether Lyon shall be declared a bankrupt or not by United States Referee Stanley W. Dexter, said yesterday morning after reading THE SUN that he would have a statement ready in the afternoon. Meantime Mr. Herzog said:

"All matters outside of the real controversy must be considered irrelevant and immaterial."

Mr. Herzog referred to the letters of Representative Littauer to Lyon concerning their interest in Government contracts for gloves and gauntlets during the Spanish-American War. Mr. Herrog in speaking thus also described as "irrelevant and immaterial" (to the bankruptcy proceeding, of course), the letter of Representaavenue, took two Great Dane dogs belong- tive Littauer to Lyon, a facsimile of which is here printed, wherein Representative Littauer says: "We have already begun at Gloversville, and if we can get a few more days of fine weather we will get out 500 a day. \* \* Do you think it advisable that I should call on Ludington in reference to any other than the standard gauntlets?"

Gen. Ludington was Quartermaster-General at Washington when Representative Littauer and Mr. Lyon were supplying the Government with gloves and gauntlets, The police couldn't find him to get an ac- and Gen. Ludington without the slightest doubt knew that Mr. Littauer was a Reprenot leave the float and the police had to sentative in Congress, and that no Condrag him away. can lawfully have an interest, remote or direct, with Government contracts.

Mr. Herzog concluded later to leave it to Mr. Littauer to speak for himself. Mr. Littauer has issued a statement denying that he had any interest in Lyon's army contracts as contracts.

A. H. Gleason of the firm of Hastings

Gleason, counsel for Lyon, said yeserday: "The authenticity of the letters and other documents printed in THE SUN this morning can be disputed by no one. They have been known to be in existence ever since the Spanish war. The bankruptoy case at present is in a stage that will not permit of any definite statement. It has been ad-

journed without date, to give all of the counsel time to submit briefs." Lyon, who is now employed with the firm of Becker & Martin, 31 East Seventeenth street, was there only a few moments yeserday, and told some of the newspaper men who met him and talked with him that

Mr. Lyon was out of town. There are documents in existence in the handwriting of Representative Littauer on House of Representative letter paper carefully calculates the cost of "rats 36x cotton higher in price here than in New 14, dressing 36x5," and goes on to say: "Divide profit over this figure, \$1.55." Representative Littauer then, in writing, on Government paper, goes on to say: "Profit ought to be 15 per cent. over \$1.57-1/2+23-1/2, total, \$1.81," and further along Representative Littauer, in his handwriting says to Lyon: "We not (sic) feel satisfied with less than a profit of 10 per cent. over \$1.57-1/2-15-1/2, total, \$1.78." In the despatch from Washington printed below appears the name of Hays & Co., Gloversville, N. Y., as having been a successful bidder for gloves and gauntlets and as having secured on June 3 a contract

for 60,000 buckskin gloves. In some of the papers submitted to Referee Stanley W. Dexter on Monday appears the name "Hays." It is mainained in the controversy between the Littauers and Lyon that "Hays of Glovers, ville" knows a good deal about the glove and gauntlet contracts which were secured

n Lyon's name. The briefs to be submitted to Referee Dexter by Hastings & Gleason, Mr. Herzog and Mr. Fellows will, it was said yesterday e most interesting reading, because of the exhibits as to Government contract which cannot be gainsaid in view of the fact of the communications between Representative Littauer and Lyon and the Thomas Gilmer, the elevator boy, was fact that Representative Littauer's brother and brother-in-law were the bondsmen who guaranteed the execution of these Government contracts, now on file in the Assistant Quartermaster-General's office in Philadelphia.

> LITTAUER'S SIDE OF IT. No Interest in the Contracts-Simply Sold Goods to Lyon." GLOVERSVILLE, July 1 .- Representative

Lucius N. Littauer dictated this statement

I have read the SUN article and would state that I am, personally, thoroughly conof Littauer Bros., composed of myself and my brother, Eugene Littauer, with Ed-mond R. Lyon. Edmond R. Lyon was for was to my knowledge a successful bidder for United States army contracts for muskrat fur caps and muskrat fur gauntlet gloves At least twenty years ago, my father, Nathan Littauer, whose business the present firm succeeded, manufactured muskrat gauntlets for Edmond R. Lyon, which he sold to the United States Army. When we succeeded to the business we continued to receive from Lyon orders to manufacture such gauntlets and continued to do so until his bankruptcy. About the time of the war with Spain the United States Army adopted for a part of its Major Ebstein says that owing to the dissimilarity between conditions there is nothing he saw that could be adoyted here with any beneficial results.

The distance states Army adopted for a part of its equipment a buckskin gauntlet. The standard samples and first modes made in accordance therewith were manufactured by the firm of Daniel Hays & Co. of Gloversville. Mr. Lyon had become not only a manufacturer of furs, but a general contractor of army supplies, and had received contracts for cotton, duck, flannel, dress caps, pajamas, &c. He entered into negotiations with our firm for the manufacture for him of such buckskin gauntlets, stating at the time that he was a general contractor in such articles, and asked us at what price we would furnish him gauntiets according to the United States

standard requirements. We gave him a price. Whenever he succeeded in getting a contract at such prices as he would himself determine, he placed orders with our firm to manufacture these gauntlets, giving us instructions to ship them to the Arsenal at Philadelphia, and in the course of time these orders were filled. The bilis for shipments made were delivered to Lyon at the prices

agreed upon July number just out. Best yet. Sold by news-Our firm had no interest in these contract